

Exhibit A

July 12, 2024 Rebuttal Expert
Disclosures Cover Letter



U.S. Department of Justice

Environment and Natural Resources Division

*Environmental Defense Section
P.O. Box 7611
Washington, DC 20044*

*Telephone (202) 514-6187
Facsimile (202) 514-8865
brian.lynk@usdoj.gov*

July 12, 2024

BY ELECTRONIC MAIL ONLY

Ryan Walters, Chief
Special Litigation Division
Office of the Texas Attorney General
P.O. Box 12548 (MC 009)
Austin, TX 78711-2548
ryan.walters@oag.texas.gov

Re: *United States v. Abbott* (W.D. Tex. No. 23-cv-853) –
United States' rebuttal expert report disclosures

Dear Counsel:

Pursuant to Federal Rule of Civil Procedure 26(a)(2)(B) and the March 5, 2024 Scheduling Order in this case (ECF 97), Plaintiff the United States of America hereby discloses the rebuttal expert reports of Michael D. Chapman and Dr. Benjamin Johnson.

The rebuttal expert report of Mr. Chapman includes all disclosures required by Rule 26(a)(2)(B), including: (i) a complete statement of all opinions the witness will express and the basis and reasons for them; (ii) identification of the facts or data considered by the witness in forming opinions; (iii) identification of any exhibits that will be used to summarize or support those opinions; (iv) a list of all other cases in which, during the previous 4 years, the witness testified as an expert at trial or by deposition; and (v) a statement of any compensation to be paid for the study and testimony in the case.

The United States previously identified Dr. Johnson as an expert witness on May 3, 2024, and provided his case-in-chief expert report on May 10, 2024. Taken together, Dr. Johnson's May 10, 2024 report and today's rebuttal report include all disclosures required by Rule 26(a)(2)(B).

In order to deliver the reports to Texas by today's date, we will upload them to Adrian Skinner's box.com account, as their cumulative file size would make it difficult to email them. Much of the considered materials identified in these rebuttal reports is publicly or equally available to Texas, was previously filed in this case, or has already been produced to Texas. There is no obligation to produce (or produce again) these materials, as they are identified in the reports.

The remaining considered materials, and copies of any identified exhibits that were not embedded in the reports, will be produced (along with the expert reports) following the procedures the parties agreed to when negotiating the Discovery Protective Order in this case (ECF 117).¹ The production will be Bates-numbered. We will include in today's box.com upload a courtesy production of those materials that are not non- or less-publicly available or that have not already been produced. Today's box.com production will not be Bates-numbered.

Best regards,

/s/ Brian H. Lynk

Brian H. Lynk
Environmental Defense Section

cc: All counsel of record (via email)

¹ Per the parties' agreement, the provisions on production remain an out-of-court stipulation separate from ECF 117.